



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Rosemary C. Smith
Associate General Counsel

FROM: Office of the Commission Secretary *MWD*

DATE: June 23, 2004

SUBJECT: *Ex Parte* CONTACT REGARDING ADVISORY OPINION
2004-12 (DEMOCRATS FOR THE WEST)

Attached is a memorandum from Commissioner Thomas regarding the above-captioned matter.

Cc: Commissioners
Staff Director
General Counsel
Press Office
Public Disclosure

Attachment:



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MEMORANDUM

TO: Mary W. Dove
Commission Secretary

FROM: Scott E. Thomas
Commissioner 

SUBJECT: Ex parte contact re Advisory Opinion 2004-12 (Democrats for the West)

On June 21 I called Neill Reiff, counsel for the requestor in the above-referenced item, to inform him of my intention to seek reconsideration regarding the answer given to question 9. He said he appreciated the notice. He went on to state that he might file a comment, but he was not sure. He said he might want to argue that the complications of the regulations are very difficult for party committees to follow.

On June 22 Neill called me to ask how I interpreted the part of the approved opinion that dealt with the joint fundraising option to deal with otherwise excessive contributions. He separately mentioned that he still had not decided whether to file a comment on the issue concerning use of federal funds raised in conjunction with nonfederal funds. He indicated he had co-written an article explaining the impact of the BCRA rules on party committees, and he was thinking of submitting that to the Commission.